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**FACSIMILE TRANSMISSION**

**DATE:** December 8, 2004

**TOTAL PAGES, INCLUDING COVER:** 9

TO:	NAME:	FACSIMILE NO.	TELEPHONE NO.
	Commissioner for Patents Examiner Tom Y. Lu GAU 2621	703-872-9306	

**FROM:** Pattric J. Rawlins

**RE:** U.S. Patent Application No. 10/798,457

**CC:**

**MESSAGE:**

Attached is an amendment with Transmittal Form and Fee transmittal

**CONFIDENTIAL INFORMATION**

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Client Name: Aperiod Technologies  
Client/Matter No.: 110630.000007  
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PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

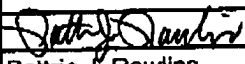
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/798,457
	Filing Date	03/11/2004
	First Named Inventor	Dirk G. Soenksen
	Art Unit	2621
	Examiner Name	Tom Y. Lu
	Attorney Docket Number	110603-008CON (05)
Total Number of Pages in This Submission		

**ENCLOSURES (Check all that apply)**

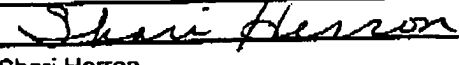
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Procopio, Cory, Hargreaves & Savitch LLP		
Signature			
Printed name	Patric J. Rawlins		
Date	12/08/04	Reg. No.	47,887

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Shari Herron	Date	12/08/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (11-04)

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Effective on 10/01/2004. Patent fees are subject to annual revision.

**FEE TRANSMITTAL  
for FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$0.00)**Complete If Known**

Application Number	10/798,457
Filing Date	03/11/2004
First Named Inventor	Dirk G. Soenksen
Examiner Name	Tom Y. Lu
Art Unit	2621
Attorney Docket No.	110630-008CON (05)

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order☒ Deposit Account ☐ NoneDeposit Account Number  
50-2075Deposit Account Name  
Procopio, Cory, Hargreaves & Savitch LLP

The Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below
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☐ Other (please identify): \_\_\_\_\_

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**FEE CALCULATION****1. BASIC FILING FEE**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	

**Subtotal (1) \$0.00****FEE CALCULATION** (continued)**2. EXTRA CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x		0.00

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x		0.00

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)

**Subtotal (2) \$0.00****3. OTHER FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	

Other: \_\_\_\_\_

**Subtotal (3) \$0.00****SUBMITTED BY**Signature Patric J. RawlinsRegistration No. 47,887  
(Attorney/Agent)

Telephone 619-238-1900

Name (Print/Type) Patric J. Rawlins

Date 12/08/04

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS OFFICE.

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Serial No. 10/798,457  
8 Dec 2004 Reply to  
8 Sep 2004 Office Action

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Serial No.:** 10/798,457  
**Applicant:** Soenksen  
**Filed:** March 11, 2004  
**Title:** **FULLY AUTOMATIC RAPID  
MICROSCOPE SLIDE  
SCANNER**  
**Art Unit:** 2621  
**Examiner:** Lu, Tom Y.  
**Docket No.:** 110630-008-CON

**Certificate of Transmission (37 C.F.R. §1.8a)**

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12/8/04 Shari Herron  
Date Shari Herron

**Reply Under 37 C.F.R. § 1.111**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is in response to the Office Action mailed September 8, 2004.  
Allowance of the above identified application is respectfully requested in view of the following  
Amendment and Remarks, where:

**Amendments to the Claims** begin on page 2 of this paper; and  
**Remarks** begin on page 6 of this paper.